

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

TROPIC TECHNOLOGIES, INC.,

Plaintiff,

v.

VENDR, INC. and STEPHEN ANDERSON,

Defendants.

Docket No. 22-cv-6043

**ORDER TO SHOW CAUSE FOR
AN ORDER FOR A PRELIMINARY
INJUNCTION AND
TEMPORARY RESTRAINING
ORDER**

Upon the Summons and Complaint of Plaintiff Tropic Technologies, Inc. (“Tropic”), the Declaration of Justin Etkin, executed on July 15, 2022, and the accompanying Memorandum of Law in Support of Plaintiff’s Application for a Temporary Restraining Order and Preliminary Injunction, and good and sufficient reason appearing to me therefor, it is hereby

ORDERED that Defendants or their counsel show cause at a hearing to be held in this Court before the Honorable Lewis J. Liman, United States District Judge, in Courtroom 15C, United States Courthouse, 500 Pearl Street, New York, New York, on August 4, 2022 at 10:00 a.m., or as soon thereafter as counsel may be heard, why the Court should not enter an order for a preliminary injunction pursuant to Rule 65(a) of the Federal Rules of Civil Procedure and the Court’s inherent powers, pending final determination of this action:

(a) enjoining and restraining Defendant Anderson from commencing employment with Vender, Inc. (“Vendr”), or otherwise associating with Vendr prior to July 7, 2023;

(b) enjoining Defendant Vendr, prior to July 7, 2023, from directly or indirectly hiring, soliciting, or making an offer to Defendant Stephen Anderson to be employed or perform services outside Tropic;

(c) enjoining Defendant Anderson from using, disclosing, or transmitting for any purpose records, documents, or information containing any confidential or proprietary information of Tropic; and

(d) ordering such further relief the Court deems just and proper;

AND it being shown by the above-referenced declarations and memorandum of law that Plaintiff will suffer immediate and irreparable harm unless, pending the hearing of the motion brought on by this Order to Show Cause, a temporary restraining order be in effect, providing the relief requested by Plaintiff on this motion for a preliminary injunction, pursuant to Rule 65(b) of the Federal Rules of Civil Procedure, it is hereby

ORDERED that Defendant Anderson is temporarily ENJOINED AND RESTRAINED, until the hearing and determination of Plaintiff's motion for a preliminary injunction, from: (i) working at, announcing any prospective employment or association with, or providing any services for, Vendr; and (ii) retaining, using, or disclosing Tropic's confidential or proprietary information; and it is further

ORDERED that pursuant to this Court's equitable powers and discretion, Tropic need not post a bond; and it is further

ORDERED that Plaintiff shall effect personal delivery of a copy of this order and supporting papers, by hand delivery service and email to Defendants or Defendants' counsel, no later than 5:00 p.m. on July 25, 2022, which shall be deemed good and sufficient service and notice thereof; and it is further

ORDERED that Defendants shall file with the Court and serve any responsive papers by overnight delivery and email on Plaintiff's counsel, L. Reid Skibell, Esq., Glenn Agre Bergman & Fuentes LLP, 1185 Avenue of the Americas, Floor 22, New York, New York 10036, rskibell@glennagre.com, on or before 5:00 p.m. on July 29, 2022 and that Plaintiff shall file with the Court and serve any reply papers by overnight delivery and email on Defendants or Defendants' counsel, on or before 5:00 p.m. on August 2, 2022.

SO ORDERED: July 22, 2022
2:52 p.m.

A handwritten signature in black ink, appearing to read "L. Reid Skibell", written over a horizontal line.

United States District Judge